

REMARKS

The *Miscellaneous Communication* mailed August 23, 2006, has been received and its contents carefully noted. This response is filed within one month of the mailing date of the *Miscellaneous Communication* and therefore is believed to be timely without extension of time. Accordingly, the Applicant respectfully submits that this response is being timely filed.

In the Examiner's *Election/Restriction* mailed October 4, 2005, the Examiner indicated a patentable distinction between testing crystallinity of a semiconductor film by (1) a sum of luminance from an approximate line, and (2) an average of luminance from an approximate line (Paper No. 20050928). In the *Amendment* filed November 4, 2005, the Applicant elected Embodiment (2) directed to an average luminance.

The *Miscellaneous Communication* asserts that the *Amendment* filed May 30, 2006, was non-responsive. Specifically, the *Miscellaneous Communication* raises a concern with the addition of features that may allegedly relate to Embodiment (1), i.e. the recitation of "or a sum" and "or the sum" in the independent claims. Therefore, the Applicant has deleted "or a sum" and "or the sum" from the independent claims. The Applicant respectfully submits that the amended independent claims are directed solely to elected Embodiment (2), which is directed to an average luminance.

Also, for grammatical reasons, in claim 1, "an position" has been changed to "a position."

Please incorporate the Applicant's arguments noted in the *Amendment* filed May 30, 2006, including two corrections to the *Amendment* as follows:

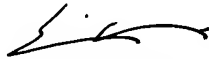
At page 16 of the *Amendment*, the Applicant inadvertently states that an "Information Disclosure Statement is submitted herewith." However, an Information Disclosure Statement was not, in fact, submitted with the *Amendment*.

Please replace the statement at page 19, lines 14-19, with the following: Tsumura, Ozawa, Tanaka, Ujihara, Tanabe and Lin, either alone or in combination, do not teach or suggest obtaining an approximate line from a relation of a position in the Y

direction to the average value corresponding to the position in the Y direction; and testing the crystallinity of the semiconductor film, of which the crystallinity is improved, with a fluctuation obtained from the approximate line and the average value. In other words, in accordance with the present *Amendment*, "or the sum" has been deleted from the argument.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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